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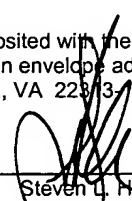
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September 27, 2004

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
<u>September 27, 2004</u> Date	 Steven L. Highlander

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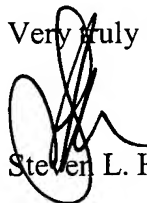
Re: *U.S. Serial No. 10/074,220 Entitled: "DIAGNOSIS AND TREATMENT OF INFLAMMATION AND HYPERACTIVE IMMUNE CONDITIONS" by Tadashi Kumamoto et al.*
(Client Ref. UTSD0771)
Our Ref. UTSD:771US

Enclosed for filing in the above-referenced patent application is:

1. Response to Restriction Requirement Dated August 25, 2004; and
2. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

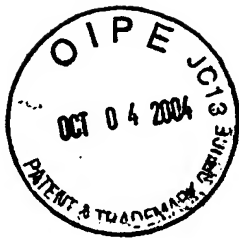
Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/UTSD:771US/SLH.

Very truly yours,


Steven L. Highlander

SLH/cpj
Encl: As noted

25457861.1 / 10201672



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Tadashi Kumamoto et al.

Serial No.: 10/074,220

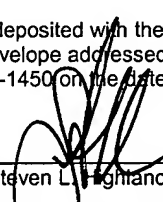
Filed: February 12, 2002

For: DIAGNOSIS AND TREATMENT OF
INFLAMMATION AND HYPERACTIVE
IMMUNE CONDITIONS

Group Art Unit: 1645

Examiner: Sally Sakelaris

Atty. Dkt. No.: UTSD:771US/SLH

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<u>September 27, 2004</u> Date	 Steven L. Highlander

RESPONSE TO RESTRICTION REQUIREMENT DATED AUGUST 25, 2004

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

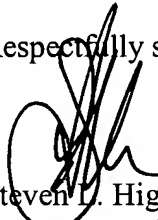
This paper is submitted in response to the Restriction Requirement dated August 25, 2004 for which the date for response is September 27, 2004 since September 25, 2004 fell on a Saturday.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/UTSD:771US/SLH.

In response to the restriction requirement which the Examiner imposed, Applicants elect, without traverse, to prosecute claims 1-17, *i.e.*, the Group I claims. Applicants, further elect the enzymatic assay as the election of species.

The Examiner is invited to contact the undersigned attorney at (512) 536-3184 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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Attorney for Applicants

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Date: September 27, 2004